

1 NORMANDY VENTURE \* BEFORE THE  
2 LIMITED PARTNERSHIP \* PLANNING BOARD OF  
3 ZRA 143 \* HOWARD COUNTY, MARYLAND

4 \* \* \* \* \*

5 MOTION: *To recommend approval of ZRA 143 with the text recommended by the Department*  
6 *of Planning and Zoning, except to include the text proposed by the Petitioner in*  
7 *Section 127.6.E.3.b. for maximum height and in Section 127.6.E.7.a. for setbacks,*  
8 *and with the understanding that the term "Amusement Facility" will be defined in*  
9 *some manner in the upcoming Comprehensive Zoning Plan process.*

10 ACTION: *Recommended approval as noted; Vote 5 to 0.*

11 \* \* \* \* \*

12 On December 6, 2012, the Planning Board of Howard County, Maryland, considered the petition of  
13 Normandy Venture Limited Partnership for amendments to Section 127.6: TNC (Traditional Neighborhood  
14 Center) Overlay District in the Zoning Regulations to revise a number of existing regulations in Section  
15 127.6.C, 127.6.E, and 127.6.F as described in detail in the November 21, 2012 Technical Staff Report.

16 The petition, the Department of Planning and Zoning Technical Staff Report and Recommendation,  
17 and the comments of reviewing agencies, were presented to the Board for its consideration. The Department  
18 of Planning and Zoning recommended approval of the petition with a number of revisions as noted in the  
19 Exhibit B –DPZ Recommended Text attachment to the Technical Staff Report.

20 The Petitioner was represented by William Erskine. Mr. Erskine stated that the proposed changes to  
21 allow the drive-through service for banks and drug stores is quite necessary for those uses nowadays. He  
22 noted that the increased building height is in harmony with the General Plan recommendations for more  
23 compact development, and he pointed out that the residential development along US 1 is allowed a lesser  
24 setback from residential districts than the TNC Overlay District. Mr. Erskine emphasized that to achieve the  
25 full 65 foot building height would still require a setback very close to the current 100 foot setback. David  
26 Moxley also spoke on behalf of the Petitioner, and he stated that due to the Fire Marshall requirement for a  
27 road behind the apartment building, to meet the current 100 foot setback the apartment building would have to  
28 be relocated, and this would cause problems with the existing buildings which are to be kept. He explained  
29 that the residential part of this development is crucial for its viability.

30 Grace Kubofcik commented favorably on the proposed amendments, stating that the TNC Overlay  
31 District will help the US 40 Corridor. She said she had no concerns with the drive-through service, the  
32 reduced commercial floor area, or the changes to the bulk regulations. Ms. Kubofcik explained that allowing  
33 the increased building height should help to improve the site design.

34 Cathy Hudson, speaking on behalf of the HCCA, stated that the issue of the changes to the bulk

1 regulations should be evaluated in a comprehensive manner and not be made specifically to help this one site.  
2 She also recommended that there should be a definition for the "amusement facility" use category.

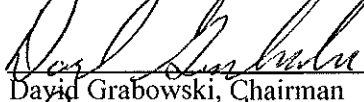
3 Lisa Markovitz spoke in opposition to the proposal. She stated that the proposed amendments appear  
4 to imply a site design that would be very different from the original design that was shown to the adjoining  
5 neighborhood. She said she is concerned that they would construct the residential building but not change the  
6 existing commercial space much, which would be contrary to the purpose of the TNC Overlay District.

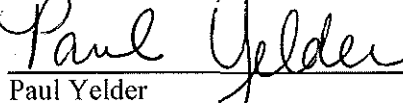
7 The Planning Board commented that the minor changes are acceptable, that the setback issues can be  
8 managed through the Design Manual, and that the increased building height is appropriate with the  
9 requirement for the increased setback. It was questioned whether it was plausible to conclude that it is not  
10 possible to create a dense, good quality development unless it incorporates drive-through services, but it was  
11 also pointed out that because the underlying zoning district already permits drive-through service, the  
12 proposal which would "hide" them is an improvement.

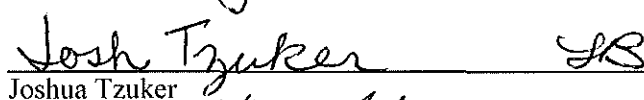
13 Mr. Tzucker made the motion to recommend approval of the petition with the text recommended by  
14 the Department of Planning and Zoning, except to include the text proposed by the Petitioner in Section  
15 127.6.E.3.b. for maximum height and in Section 127.6.E.7.a. for setbacks, and with the understanding that the  
16 term "Amusement Facility" will be defined in some manner in the upcoming Comprehensive Zoning Plan  
17 process. Mr. Santos seconded the motion. The motion passed by a vote of 5 to 0.

18 For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 17th day of  
19 January, 2013, recommends that ZRA 143, as described above, be APPROVED, as noted above.

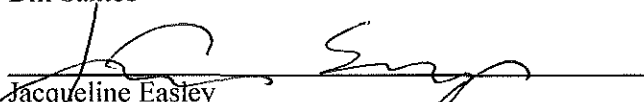
20  
21 HOWARD COUNTY PLANNING BOARD

22   
23 David Grabowski, Chairman

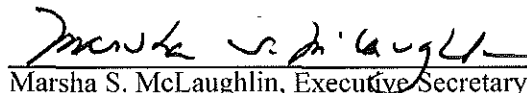
24  JB  
25 Paul Yelder

26  JB  
27 Joshua Tzucker

28   
29 Bill Santos

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31 Jacqueline Easley

32 ATTEST:

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34 Marsha S. McLaughlin, Executive Secretary